

**CITY OF NEWPORT BEACH
COUNCIL CHAMBERS – 3300 NEWPORT BOULEVARD
Thursday, January 13, 2011
Regular Meeting – 3:30 p.m.**

HEARING ITEMS

- 1) Conduct public hearing; and
- 2) Approve Condominium Conversion No. CC2010-006 and Parcel Map No. NP2010-009 (PA2010-168) subject to the recommended findings and conditions.

CEQA

COMPLIANCE: The project is exempt from environmental review pursuant to Section 15301, Class 1 (Existing Facilities) and Section 15315, Class 15 (Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act.

ITEM NO. 3.

Use Permit No. UP2010-032 (PA2010-144)
406 32nd Street

Council District 1

SUMMARY: Sabatino's Use Permit - A minor use permit to allow a 693-square-foot take-out service, limited eating and drinking establishment within an existing retail tenant space. The property is located in the CV (Commercial Visitor-Serving) District.

RECOMMENDED

ACTION:

- 1) Conduct public hearing; and
- 2) Approve Use Permit No. UP2010-032 (PA2010-144) subject to the recommended findings and conditions.

CEQA

COMPLIANCE: The project is exempt from environmental review pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures) of the Implementing Guidelines of the California Environmental Quality Act.

ITEM NO. 4.

Use Permit No. UP2010-036 (PA2010-155)
3107 Newport Boulevard

Council District 1

SUMMARY: Crow Burger Kitchen Use Permit - A minor use permit to allow a food service, eating and drinking establishment with no late hours, a covered outdoor patio, and a Type 41 (On Sale Beer and Wine, Eating Place) Alcoholic Beverage Control (ABC) license. The gross floor area of the establishment is 1,878 square feet, the interior net public area will be 650 square feet, and the outdoor patio will be 259 square feet in area. The establishment will provide a maximum of 42 interior seats and 22 seats on the patio. The requested hours of operation are from 9:00 a.m. to 11:00 p.m., daily. The property is located in the CN (Commercial Neighborhood) District.

RECOMMENDED

ACTION:

- 1) Conduct public hearing; and
- 2) Approve Use Permit No. UP2010-036 (PA2010-155) subject to the recommended findings and conditions.

CEQA

COMPLIANCE: The project is exempt from environmental review pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures) of the Implementing Guidelines of the California Environmental Quality Act.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least 72 hours in advance of each hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact the Planning Department at least 48 hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Department located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.